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Docket No. 01538/LH

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicant(s): Keiji HIROTOMI et al

Serial No. : 09/966,443

Filed : September 26, 2001

For : COSMETIC CONTAINER

Art Unit : 3732

Examiner :

**INFORMATION DISCLOSURE STATEMENT
WITH STATEMENT UNDER 37 CFR 1.97(e)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R :

Submitted herewith are the following:

- (1) Copy of Search Report issued in the counterpart European application;
- (2) Copies of the cited publications; and
- (3) Forms PTO/SB/08A and PTO/SB/08B. It is requested that initialed copies of the Forms PTO/SB/08A and PTO/SB/08B be returned to indicate that the publications listed therein have all been considered and made of record.

Said communication is in English, thereby satisfying the requirements for a concise explanation of relevance for any non-English language publications cited therein
(MPEP 609 III A(3)).

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I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

S. Dianne Franklin

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper to Account No. 06-1378.

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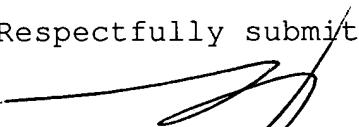
STATEMENT UNDER 37 CFR 1.97(e) (1)

Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the present Information Disclosure Statement. Said Communication bears a mailing date of April 10, 2003. Therefore, the filing of this Information Disclosure Statement is timely under the provisions of 37 CFR 1.97(e) and does not require a fee.

As seen from the listing of family members in the European Search Report, Japanese 08-019421 corresponds to USP 5,873,667. A copy of USP 5,873,667 is submitted herewith, and this document is also listed on the attached Form PTO/SB/08A.

It is respectfully requested that the attached publications be considered and made of record.

Respectfully submitted,


Leonard Holtz Esq.
Reg. No. 22,974

Encls.

Dated: May 19, 2003

Frishauf, Holtz, Goodman & Chick, P.C.
767 Third Avenue, 25th Floor
New York, New York 10017-2023
Tel. No. (212) 319-4900
Fax. No. (212) 319-5101
LH/sdf
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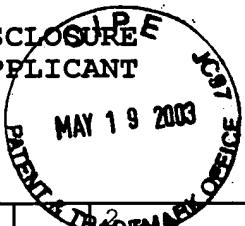
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PTO/SB/08A (08-00)

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for Form 1449A/PTO		Application Number	09/966,443	
		Filing Date	September 26, 2001	
		First Named Inventor	Keiji HIROTOMI et al	
		Group Art Unit	3732	
		Examiner Name		
Sheet	1	of	Attorney Docket Number	01538/LH



U. S. PATENT DOCUMENTS

Exam. Inits*	Cite No ¹	Document Number	Kind Code ²	Name of Patentee or Applicant	Publication Date MM-DD-YYYY	Relevant Portion
		5,427,464	A	NAKAGAWA	06-27-1995	
		5,549,404	A	KAGEYAMA et al	08-27-1996	
		5,873,667	A	INOUE et al	02-23-1999	

FOREIGN PATENT DOCUMENTS

Exam. Inits*	Cite No ¹	Offc ³	Document Number ⁴	Kind Code ⁵	Name of Patentee or Applicant	Publication Date MM-DD-YYYY	Relevant Portion	T ⁶
							RECEIVED JUN 04 2003 TECHNOLOGY CENTER P3700	

Examiner Signature Date Considered

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Place a check here if English translation is attached.

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PTO/SB/08B (08-00)

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for Form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number	09/966,443	
		Filing Date	September 26, 2001	
		First Named Inventor	Keiji HIROTOMI et al	
		Group Art Unit	3732	
		Examiner Name		
Sheet	2	of	2	
Attorney Docket Number				01538/LH

OTHER DOCUMENTS - NON-PATENT LITERATURE DOCUMENTS

Examiner Initials ¹	Cite No. ¹	Include name of author (in CAPITAL LETTERS), title of article, title of item, date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		PATENT ABSTRACTS OF JAPAN, Vol. 1996, No. 05, 31 May 1996 (1996-05-31) and JP 08-019421 A (SHISEIDO CO. LTD.; Others: 01, 23 January 1996 (1996-01-23) - Abstract only.	

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Examiner Signature

Date Considered

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